

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WESCO INSURANCE COMPANY,

Plaintiff,

-against-

FEDERAL INSURANCE COMPANY,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 01/31/2023

22-CV-2840 (PGG) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed plaintiff's 100-page "supplemental letter motion" (Dkt. 68), submitted on January 30, 2023, "in anticipation of our discovery conference scheduled for February 2, 2023." To the extent the submission is intended as a sur-reply in further opposition to defendant's January 19, 2023 letter-motion (Dkt. 58), it is unauthorized and will be disregarded. To the extent it seeks new relief, including orders compelling defendant to produce discovery responses, cutting off further fact discovery, and awarding sanctions, it cannot be heard on February 2, 2023, because plaintiff has not left defendant adequate time to respond. *See Moses Ind. Prac. § 2(e)*. In addition, there is no indication that plaintiff met and conferred with defendant "in real time," as required by *Moses Ind. Prac. § 2(b)*, before seeking that relief.

Plaintiff's request that the February 2 conference be held remotely is DENIED. Unless the parties *jointly* agree to postpone the conference to a later date (in which case they must so advise the Court by letter no later than **noon on February 1, 2023**), it will proceed as scheduled in Courtroom 20A of the Daniel Patrick Moynihan United States Courthouse. Prior to the conference, counsel are required to meet and confer *in real time* (e.g., in person or by telephone, *not* by email) for at least 30 minutes, in a good faith effort to resolve or at least narrow their discovery and scheduling disputes.

Dated: New York, New York
January 31, 2023

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge